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MCANDREWS HELD & MALLOY, LTD 500 WEST MADISON STREET SUITE 3400 CHICAGO, IL 60661			MILEF, ELDA G	
			ART UNIT	PAPER NUMBER
			3628	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/752,490	Applicant(s) RIEGER ET AL.	
	Examiner Elda Milef	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |




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DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 8-10 and 36-38 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification, as originally filed, does not provide support for the invention as is now claimed, i.e., entering inquiry information comprises entering a plurality of inquiry blocks grouped together, each inquiry block being limited to being matched with securities with an issuer name that is unique with respect to issuer names of potential purchases matched with other inquiry blocks from the plurality of inquiry blocks grouped together. More specifically, the specification, as originally filed, does

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disclose an inquiry type designation as "grouped", and quantity, such as inquiry block sizes see page 4 lines 25-30 in the specification. The specification also discloses that the issuer will be checked against any previous scenarios or executions that have involved other blocks from the inquiry, and that the user is given the option to use or not use the block in the scenario. (p. 12, lines 9-13). There is no mention in the specification of "inquiry blocks grouped together." The specification, as originally filed, does not provide support for the issuer name being "unique."

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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2. Claims 1-56 are rejected under 35 U.S.C. 102(e) as being unpatentable over Lewis (U.S. 6,513,019).

Lewis discloses claims:

1. A method of organizing security inquiries and potential security purchases utilizing a computer with a display comprising:

entering by a user into the computer inquiry information describing securities desired for purchase (figs. 21, 22);
entering into the computer potential purchase information describing available securities (figs. 21, 22);
entering into the computer a plurality of algorithms for matching the inquiry information with the purchase information (figs. 23, 24);

selecting by the user one of the algorithms; (see Rule "3", col. 15);

matching by means of the user selected one algorithm the inquiry information with the purchase information; and reporting to the user the results of the matching by means of the computer (fig.4, 190 - "Reporting Engine")

2. A method, as claimed in claim 1, wherein said inquiry information comprises a desired security par dollar amount for each of at least some of said securities desired for purchase,

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wherein said purchase information comprises [[a]] an available security par dollar amount for each of at least some of said available securities and wherein said selected one algorithm attempts to match said desired security par dollar amounts with said available security par dollar amounts (see "Rule 3", col. 15).

3. A method, as claimed in claim 2, wherein said selected one algorithm attempts to match each of said desired security par dollar amounts in turn with said available security par dollar amounts (col.15, line 39-col.17, line 33).

4. A method, as claimed in claim 1, wherein said inquiry information comprises a desired range of maturity times of at least some of said securities desired for purchase, wherein said purchase information comprises a maturity time for at least some of said available securities and wherein said selected one algorithm attempts to match said range of maturity times of said securities desired for purchase with said maturity time for said available securities (col.15, line 39-col.17, line 33).

5. A method, as claimed in claim 4, wherein said selected one algorithm attempts to match inquiry information having a smaller range of maturity times before attempting to match inquiry information having a larger range of maturity times (col.15, line 39-col.17, line 33).

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6. A method, as claimed in claim 1, wherein said inquiry information is arranged in order and wherein said selected one algorithm attempts to match said purchase information with said inquiry information according to said order (col.15, line 39 - col.17, line 33).

7. A method, as claimed in claim 6, wherein said order is the order in which said inquiry information was entered into said computer (Claim 1).

8. A method, as claimed in claim 1, wherein said entering inquiry information comprises entering a plurality of inquiry blocks grouped together, each inquiry block being limited to being matched with securities with an issuer name that is unique with respect to issuer names of potential purchases matched with other inquiry blocks from the plurality of inquiry blocks grouped together. (figs. 21 , 22).

9. A method, as claimed in claim 8, wherein said inquiries comprise an inquiry number, a state associated with said securities desired for purchase, and an account identifier (figs. 21, 22 and col. 19, lines 50-54).

10. A method, as claimed in claim 9, wherein said inquiries further comprise a quantity of said securities desired for purchase, a price range of said securities desired for purchase and a range of maturity times for said securities desired for

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purchase (figs. 21, 22), ("send an alert to a price research analyst when a price change tolerance limit has is exceeded")- see col. 16, lines 45-51, and ("alerts are sent to users and applications when prices change in excess of pre-set change tolerances") -col.18, lines 7-8.

11. A method, as claimed in claim 1, wherein said entering purchase information comprises entering a plurality of entries about said available securities, at least some of said entries comprising a name of an issuer of the available security associated with the entry (figs. 21, 22).

12. A method, as claimed in claim 11, wherein each said entry further comprises a state associated with the available security associated with the entry, the par dollar amount of the security associated with the entry, and the maturity time of the security associated with the entry (figs. 21, 22).

13. A method, as claimed in claim 12, wherein said entry further comprises a CUSIP for said security associated with said entry ("The system contains many business object classes ("business objects"), i.e., groups of interrelated database tables that pertain to a business subject, combined with functional objects and methods for processing the data and information stored in such tables. FIG. 7 exemplifies database tables that are associated with business objects for processing market data.

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This Figure shows how the database stores data that describes three characteristics of a common stock issue: (1) issue type (equity), (2) issue description (IBM Common), and (3) two forms of issue identifier (e.g., ticker and CUSIP number)."-see col. 11 lines 65-67 and col. 12 lines 1-8.

14. A method, as claimed in claim 1, wherein said reporting comprises displaying said results on said computer display (fig.7).

15. A method, as claimed in claim 1, and further comprising finalizing a trade of at least one of said available securities (col.15, line 39-col.17, line 33).

16. A method, as claimed in claim 15, wherein said finalizing comprises entering a CUSIP and a broker or dealer identification (fig.7).

17. A method, as claimed in claim 15, wherein said finalizing comprises checking for similar or matching issuers for previous security purchases for said inquiry information (col.15, line 39-col.17, line 33).

18. A method, as claimed in claim 15, wherein said reporting further comprises listing said available securities for which a trade was finalized (col. 15, line 39-col.17, line 33).

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19. A method, as claimed in claim 15, wherein said reporting comprises listing said inquiry information not subject to said finalizing (col.15, line 39-col.17, line 33).

20. A method, as claimed in claim 1, wherein said available securities are issued by an issuer and wherein said reporting further comprises listing approved issuers (col.16, lines 1-6).

21. A method, as claimed in claim 1, wherein said entering potential purchase information comprises:

entering potential purchase parameters or using parameters of an selected inquiry in said inquiry information; searching a database for security information corresponding to said parameters; and reporting the results of said searching (col.15, line 39-col.17, line 33).

22. A method, as claimed in claim 21, wherein said database is located remotely from said computer and wherein said searching comprises transmitting data via the Internet (figs. 2 & 3).

23. A method, as claimed in claim 1, wherein said entering potential purchase information comprises:

selecting one of said available securities; and reporting information about said selected security from a database (col.15, line 39-col.17, line 33).

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24. A method, as claimed in claim 23, wherein said database is located remotely from said computer and wherein said reporting comprises transmitting data via the Internet (fig.29).

25. A method, as claimed in claim 1, wherein said entering inquiry information comprises:

receiving said inquiry information from a database; and
reporting said received inquiry information (col.15,
line 39-col.17, line 33).

26. A method, as claimed in claim 25, wherein said database is located remotely from said computer and wherein said reporting comprises transmitting data via the Internet (col.15, line 39-col.17, line 33).

27. A method, as claimed in claim 1, wherein said entering potential purchase information comprises:

receiving said potential purchase information from a data -
base; and reporting said received potential purchase information
(fig.28).

28. A method, as claimed in claim 27, wherein said database is located remotely from said computer and wherein said reporting comprises transmitting data via the Internet (col.15, line 39-col.17, line 33).

29. Apparatus for organizing security inquiries and potential security purchases comprising:

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an output device arrange to display information; a memory; and a computer connected to: store inquiry information describing securities desired for purchase; store potential purchase information describing available securities; store a plurality of algorithms for matching the inquiry information with the purchase information; execute one of the algorithms selected by a user of the apparatus; match by means of the user selected one algorithm the inquiry information with the purchase information; and report to the user the results of the matching on the output device (Claim 29 is similarly rejected as in claim 1).

30. Apparatus as claimed in claim 29, wherein said inquiry information comprises a desired security par dollar amount for each of at least some of said securities desired for purchase, wherein said purchase information comprises [[a]] an available security par dollar amount for each of at least some of said available securities and wherein said selected one algorithm attempts to match said desired security par dollar amounts with said available security par dollar amounts (col.15, line 39 - col.17, line 33).

31. Apparatus, as claimed in claim 30, wherein said selected one algorithm attempts to match each of said desired security par

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dollar amounts in turn with said available security par dollar amounts (col.15, line 39- col.17, line 33).

32. Apparatus, as claimed in claim 29, wherein said inquiry information comprises a desired range of maturity times of at least some of said securities desired for purchase, wherein said purchase information comprises a maturity time for at least some of said available securities and wherein said selected one algorithm attempts to match said range of maturity times of said securities desired for purchase with said maturity time for said available securities (col.15, line 39- col.17, line 33).

33. Apparatus, as claimed in claim 32, wherein said selected one algorithm attempts to match inquiry information having a smaller range of maturity times before attempting to match inquiry information having a larger range of maturity times (col.15, line 39-col.17, line 33).

34. Apparatus, as claimed in claim 29, wherein said inquiry information is arranged in order and wherein said selected one algorithm attempts to match said purchase information with said inquiry information according to said order (col.15, line 39 - col.17, line 33).

35. Apparatus, as claimed in claim 34, wherein said order is the order in which said inquiry information was entered into said computer.

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36. Apparatus, as claimed in claim 29, wherein said inquiry information comprises a plurality of inquiry blocks grouped together, each inquiry block being limited to being matched with securities with an issuer name that is unique with respect to issuer name of potential purchases matched with other inquiry blocks from the plurality of inquiry blocks grouped together.

37. Apparatus, as claimed in claim 36, wherein said inquiries comprise an inquiry number, a state associated with said securities desired for purchase, and an account identifier.(figs. 22, 26 and col. 19 lines 50-54).

38. Apparatus, as claimed in claim 37, wherein said inquiries further comprise a quantity of said securities desired for purchase, a price range of said securities desired for purchase and a range of maturity times for said securities desired for purchase (col.15, line 39-col.17, line 33) and ("send an alert to a price research analyst when a price change tolerance limit has is exceeded")-see col. 16, lines 45-51, and ("alerts are sent to users and applications when prices change in excess of pre-set change tolerances") -col.18, lines 7-8.

39. Apparatus, as claimed in claim 29, wherein said purchase information comprises a plurality of entries about said available securities, at least some of said entries comprising a

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name of an issuer of the available security associated with the entry (col.15, line 39-col.17, line 33).

40. Apparatus, as claimed in claim 39, wherein each said entries further comprises a state associated with the available security associated with the entry, the par dollar amount of the security associated with the entry, and the maturity time of the security associated with the entry (col.15, line 39-col.17, line 33).

41. Apparatus, as claimed in claim 40, wherein each of said entries further comprises a CUSIP for said security associated with said entry (col.15, line 39-col.17, line 33).

42. Apparatus, as claimed in claim 29, wherein said output device comprises a computer display (fig.29).

43. Apparatus, as claimed in claim 29, wherein said computer is further arranged to finalize a trade of at least one of said available securities (col.15, line 39-col.17, line 33).

44. Apparatus, as claimed in claim 43, wherein said computer finalizes the trade in part by storing a CUSIP and a broker or dealer identification (fig.7).

45. Apparatus, as claimed in claim 43, wherein said computer finalizes the trade in part by checking for similar or matching issuers for previous security purchases for said inquiry information (col.15, line 39-col.17, line 33).

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46. Apparatus, as claimed in claim 43, wherein said computer is further arranged to list said available securities for which the trade was finalized (col.15, line 39-col.17, line 33).

47. Apparatus, as claimed in claim 43, wherein said computer is further arranged to list said inquiry information that was not finalized (col.15, line 39-col.17, line 33).

48. Apparatus, as claimed in claim 29, wherein said available securities are issued by an issuer and wherein said computer is arranged to list approved issuers (col. 16, lines 1-6).

49. Apparatus, as claimed in claim 29, and further comprising a second computer storing a database, wherein said potential purchase information comprises potential purchase parameters and wherein said computer searches the database for security information corresponding to said parameters and reports the results of said searching on said output device (col.15, line 39-col.17, line 33).

50. Apparatus, as claimed in claim 49, wherein said database is second computer is located remotely from said computer and wherein said second computer transmits data to said computer via the Internet (It is inherent that the database located communicates remotely via the Internet)

51 . Apparatus, as claimed in claim 29, and further comprising a second computer storing a database, wherein said potential

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purchase information comprises one of said available securities and wherein said computer reports information about said selected security from said database (col.15, line 39-col. 17, line 33).

52. Apparatus, as claimed in claim 51, wherein said second computer is located remotely from said computer and wherein said second computer transmits data to said computer via the Internet (It is inherent that the database located communicates remotely via the Internet)

53. Apparatus, as claimed in claim 29, and further comprising a second computer storing a database, wherein said computer receives inquiry information a database and reports said inquiry information on said output device (col.15, line 39-col.17, line 33).

54. Apparatus, as claimed in claim 53, wherein said second computer is located remotely from said computer and wherein said second computer transmits data to said computer via the Internet (It is inherent that the database located communicates remotely via the Internet)

55. Apparatus, as claimed in claim 29, and further comprising a second computer storing a database, wherein said computer receives said potential purchase information from said database

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and reports said received potential purchase information on said output device (col.15, line 39-col.17, line 33).

56. Apparatus, as claimed in claim 55, wherein said second computer is located remotely from said computer and wherein said second computer transmits data to said computer via the Internet (It is inherent that the database located communicates remotely via the Internet)

Response to Arguments

Applicant's arguments filed April 6, 2005 have been fully considered but they are not persuasive.

3. **Regarding § 102 rejection**, the applicant's remarks have been considered and the 102 rejection still stands. In regards to claims 1 and 29 and applicant's suggestion that Lewis does not teach a plurality of matching algorithms, applicant's attention is directed to column 15. In the example given by Lewis, in particular "Rule 3", Lewis discloses "The inventive system includes a collection of select financial algorithms for performing numerous such financial calculations (e.g., gain loss, amortization, accretion, accrued interest, and the like) in multiple currencies. Additionally, the open architecture permits introduction of proprietary and third-party algorithms as needed over time." Lewis indicates that matching does occur

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"this event will trigger a string of ancillary operations. This will include checking to see if a limit has been crossed; if so the notification server electronically sends to user(s) or application(s), via the Message Bus, an electronic notification that alerts them to the fact that a limit has been exceeded. It will also trigger secondary calculations and updates for value-at-risk, profit/loss, and portfolio performance, and the like, delineated for each interested party, e.g., the customer, dealer, broker, investment manager, and/or counterparty. Similarly, the inventive system performs assessments of firm compliance (e.g., fund, customer, and regulatory), liquidity (i.e., collateral availability), and credit and country/market exposures. Based on the results of these assessments vs. stored thresholds, real-time alerts will be communicated by the notification server to firm managers and/or customers."- see column 15, lines 29-67. In order for any type of financial analysis to occur, it is inherent that the "matching" of information takes place (e.g., desired price and quantity versus the price and quantity available for a security). Lewis does show that a user can select one algorithm from a plurality of matching algorithms because the algorithms described by Lewis can be customized by the user, see column 15, in particular lines 21-23.

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In regards to claim 1, and the applicant's suggestion that Lewis does not teach "entering by a user into the computer inquiry information describing securities desired for purchase", the applicant's attention is directed to column 6, lines 7-24.

("The Acquisition process involves recording data that identifies, cross-references, and describes the characteristics of various securities that are traded on world markets. This data is known as "indicative data". These data vary across the various types of financial instruments. For example, debt securities include characteristics such as interest payable and maturity date, while equities do not.")-see col. 16, lines 57-63.

Also, Lewis discloses ("data is first acquired ("Acquisition Process"), and then translated to a common format. This involves sorting and re-sequencing the incoming data transmissions from numerous data vendors, such as Bloomberg.RTM., Reuters.RTM., and the like, as well as collecting data from users that enter data into thin client...")-see col17, lines 11-15.

In regards to claim 29, the applicant's attention is directed to col.4, lines 54-57 ("It is another object of the present invention to provide a computer system that receives stochastic data records from plural disparate systems and data sources

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relating to financial transactions, financial instruments, customers..." (the present invention is directed to a data processing system that provides substantial throughput for real time standardization, aggregations derivation, consolidation, integration, structuring, storage and distribution of financial data...")-see col.1, lines 6-13, and ("using a user interface (UI) that dynamically configures itself to display only those functions that the user is authorized to perform")-see col. 20, lines 7-8.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will

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expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elda Milef whose telephone number is (571)272-8124. The examiner can normally be reached on Monday - Friday 9:15 am to 5:45 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung Sough can be reached on (571)272-6799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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